



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NORTHEAST REGIONAL OFFICE

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JANUARY 11, 2007

Orchard Farm Trust
39 Cross Street
Peabody, MA 01960

RE: **Danvers**
Former Creese & Cook Tannery
RTNs: 3-12711 & 3-26474
IRA Conditional Approval Letter
Designation of Interim Deadlines

Attention: Mr. Nicholas J. Decoulos

Dear Mr. Decoulos:

The Massachusetts Department of Environmental Protection (MassDEP) has received an Immediate Response Action Status Report, which was completed for the Former Creese & Cook Tannery Site, located at 25 Clinton Avenue in Danvers. The report was submitted by Woodard and Curran (W&C) on behalf of the Orchard Farm Trust, and was received by MassDEP on December 26, 2006. The report was submitted to MassDEP in response to an Immediate Response Action (IRA) Plan Denial/Notice of Response Action Letter dated October 25, 2006. The goal of the submittal is to bring the site back into compliance with the Massachusetts Contingency Plan, by submitting an Imminent Hazard Evaluation (IHE) for upland soils and sediment at the site, along with a work plan to abate the Imminent Hazard (IH) that has been identified by fencing specified areas of the property to prevent trespassers from being exposed to contaminated soils. The goal is also to present an asbestos abatement plan to remove and appropriately dispose of construction debris that exists in the area of the former Beamhouse.

IRA PLAN AND PROPOSED ASBESTOS ABATEMENT PLAN

Upland Soils and Sediments – IRA PLAN

W&C has completed an IHE for upland soils and sediments at the former Creese & Cook Tannery Site. The sampling collection and analysis and IHE were completed generally following the guidelines outlined in MassDEP's October 25, 2006 letter, and listed in the IRA Plan modification submitted to MassDEP by W&C on November 10, 2006. W&C concluded that chemicals of potential concern at the Site pose an IH and a risk to human health. The primary drivers of this risk are dioxin in surface soils in Landfill Area A and in upland soils in a fill pile located between Route 128 and the Beamhouse, and arsenic in surface soils in Landfill Area B. In order to prevent human contact with these soils, W&C proposes to install fencing surrounding these areas by the end of February 2007. Remediation of the soils in areas driving the IH will occur as part of Comprehensive Response Actions.

Asbestos Abatement Plan

W&C also reported the results of an evaluation of building debris in the area of the former Beamhouse; during which asbestos-containing material (ACM) was identified. Since the presence of asbestos at the Site could pose an IH, MassDEP was notified within 2-hours of this finding, and Release Tracking Number (RTN) 3-26474 was issued on December 14, 2006. MassDEP issued an oral IRA approval to cover all debris suspected of containing asbestos, assess the extent of asbestos impacts, and identify potential exposure issues. The IRA Plan included an asbestos abatement plan which was completed by Enviro-Safe Engineering. The plan describes how the ACM and other construction debris will be evaluated and disposed of, and how the removal activities will be conducted in a fashion that will prevent exposure to the surrounding human population. W&C stated that the ACM and associated construction debris, weather permitting, will be removed by the end of February 2007.

MassDEP REVIEW

Conditional Approval – IRA Plan

MassDEP has reviewed the IHE and IRA Plan for the Former Creese & Cook Tannery and approves it subject to the following conditions. The Orchard Farm Trust must complete the work specified in the IRA Plan and the work outlined below within 30 days of the date of this letter. Please be advised that this submittal date is being established as an Interim Deadline, pursuant to 310 CMR 40.0167.

- In addition to areas specified by W&C for fencing, the lagoon area must also be fenced, because evaluations of surface soils in this area have shown arsenic contamination over the entire area above the 40 mg/kg IH threshold value.
- All fencing shall be chain-link and be a minimum of six feet in height, and signs must be posted to notify potential trespassers of the risks posed by the contaminated soils.
- Signs shall also be placed along the shoreline to notify potential trespassers of the risks posed by contact with the contaminated sediment, because The Excess Lifetime Cancer Risk value calculated for dermal contact with sediment is 2.E-05, which exceeds the Massachusetts Contingency Risk Limit for Imminent Hazards of 1.E-05.
- A more detailed sampling program must be completed in upland areas, because surface soil contamination that could pose an IH may be spread over other areas of property in addition to the Beamhouse, landfills, and lagoon. These areas include the entire northwestern portion of the property between the Beamhouse and Route 128 and the entire southeastern portion of the property between the Beamhouse and Clinton Avenue. These areas must be divided into grids and a minimum of 24 samples must be collected and analyzed for arsenic and a minimum of 12 samples must be collected and analyzed for dioxin. **Within 60 days of the date of this letter, and IRA Status Report and Imminent Hazard Evaluation must be submitted for the upland soils. Please be advised that this submittal date is being established as an Interim Deadline, pursuant to 310 CMR 40.0167.**

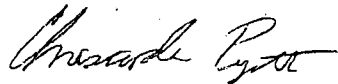
Revised Submittal Required – Asbestos Abatement Plan

The asbestos abatement plan does not provide enough specific information to ensure protection of human health during the management and removal of construction debris from this property. The Orchard Farm Trust must submit a revised asbestos abatement plan to MassDEP containing the information listed below within 14 days of the date of this letter. Please be advised that this submittal date is being established as an Interim Deadline, pursuant to 310 CMR 40.0167.

- The demolition contractor and the asbestos monitor must be identified, and the full extent of the ACM/Construction Debris removal must be identified, including whether the slab will be broken up and removed as part of this project. If the slab will be broken up and removed a notification of demolition/renovation must be filed under 310 CMR 7.09.
- An asbestos removal notification must be made under 310 CMR 7.15.
- Water must be used during demolition and asbestos removal regardless of temperature, and visible dust during demolition of the mastic-coated concrete will be prohibited.
- MassDEP must be notified if saw cutting of the asbestos coated mastic becomes necessary or unknown materials are identified.
- The plan must specify if the asbestos will be live loaded into waiting trailers or if it will be stockpiled on site. If it will be stockpiled, the plan must specify how the asbestos stockpile will be secured.
- The plan must specify where the air monitoring samples will be analyzed, and that MassDEP will be notified prior to continuing work if the 0.01 f/cc ambient air monitoring action level is tripped.
- The final disposition of construction debris and asbestos waste streams must be identified.
- Placarding and labeling requirements for the bulk-loaded waste must be described in the revised plan.
- The anticipated project schedule must be identified.

If you have any questions relative to this notice, please contact Christopher Pyott at the letterhead address or (978) 694-3353.

Sincerely,



Christopher Pyott
Environmental Analyst
Brownfields/Permits



Joanne Fagan
Section Chief
Brownfields/Permits

Former Creese & Cook Tanner,
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cc via mail:

Data Management (C&E/Intlet) (IRA/APWRIT)

cc via e-mail

Woodard & Curran, 35 New England Business Center, Andover, MA 01810

Attn: Mr. David MacDonald

Danvers Board of Health, Town Hall, 1 Sylvan Street, Danvers, MA 01923

Attn: Mr. Peter Mirandi

